

REMARKS

The claims stand rejected under §112 for impliedly claiming all extracts of licorice root while the disclosure only teaches one extract which is the standard extract of licorice root that includes a diverse variety of molecules and no predominate molecule. Such extracts have been well known for more than a thousand years. They are made with water or a similar solvent that is miscible in water or two such solvents mixed together.

To clarify that this traditional extract is what is intended by the language of the claims, applicant has added the words “including diverse molecules with no predominate molecule” to each of the independent claims. With this amendment, the §112 rejection is overcome.

Claims 1, 3 – 5, 10 – 15, 17 – 18, and 23 – 28 stand rejected under §103 as unpatentable over Vedros (US 5,198,217) in view of Beigajski (US 5,700,478).

Beigajski discloses an oral patch for time release of treatments for bad breath, sore throats, coughs, and colds. Beigajski does not teach or suggest that his oral patch device could be used for treating canker sores (mouth ulcers). Thus, Beigajski discloses no suggestion or motivation to add to the Beigajski device a medicament for treating mouth ulcers.

Vedros (as well as other prior art cited in this matter) teaches the use of a liquid solution containing licorice extract for the treatment of various lesions including canker sores (mouth ulcers). There is no disclosure in Vedros of a suggestion or motivation to put licorice extract into an oral patch.

Thus, there is no suggestion or motivation to combine the prior art teachings of an oral patch for delivering medicaments in the mouth with licorice extract including diverse molecules with no predominate molecule. Vedros and Beigajski were published about 10 years before the present application was filed. During the interim, no-one invented and published the claimed invention, suggesting that it must not have been obvious. In addition, Baichwal, (US 5,330,761), which discloses an oral patch with no suggestion that it might be used for treating canker sores was published in 1994. If the teachings of either of these oral patch documents and any of the numerous documents suggesting that a solution including licorice root extract is useful in the mouth for

treating canker sores renders obvious any of the inventions claimed in the independent claims of the present application, it would have been invented long before the filing date of the present application.

Please charge any additional fees or credit overpayment to Deposit Account No. 07-1897.

Respectfully submitted,

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